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17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 OAKLAND DIVISION

20 ROSA MARTINEZ, JIMMY HOWARD,  
21 ROBERTA DOBBS, BRENT  
22 RODERICK, SHARON ROZIER, and  
JOSEPH SUTRYNOWICZ, on behalf of  
themselves and all others similarly situated,

CASE NO. 08-CV-4735 CW

**STIPULATION AND ORDER TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE UNTIL JULY 7, 2009**

23 Plaintiffs,

**The Honorable Claudia Wilken**

24 vs.  
25 MICHAEL J. ASTRUE, Commissioner of  
26 Social Security, in his official capacity,

27 Defendant.  
28

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13      Of Counsel for Plaintiffs ROSA MARTINEZ, JIMMY  
14      HOWARD, ROBERTA DOBBS, BRENT RODERICK,  
15      SHARON ROZIER, JOSEPH SUTRYNOWICZ, and all  
16      others similarly situated

## **STIPULATION AND ORDER**

TO THE COURT, ALL PARTIES AND COUNSEL OF RECORD:

WHEREAS, on January 6, 2009, the Court granted Defendant's Motion for Administrative Relief to Continue the Case Management Conference and continued the Case Management Conference originally scheduled for January 20, 2009 until February 19, 2009;

WHEREAS, on January 23, 2009, Defendant filed an Administrative Motion To Continue Hearing and Briefing Dates by One Week; Plaintiff filed a Statement of Non-Opposition to that motion; and the Court issued an Order continuing the hearing on all motions then pending before the Court from February 19, 2009, until February 26, 2009;

WHEREAS, on February 3, 2009, the Court issued an Order pursuant to the parties' stipulation also continuing the Case Management Conference until February 26, 2009;

WHEREAS, on February 18, 2009, the Court issued an Order pursuant to the parties' stipulation continuing a hearing to March 12, 2009, to allow the parties to attempt to settle the case prior to hearing;

WHEREAS, on March 13, 2009, the Court issued an Order pursuant to the parties' stipulation and notice of settlement continuing hearing on all motions and the Case Management Conference to April 2, 2009;

WHEREAS, on March 30, 2009, Magistrate Judge Chen filed a notice that the case had settled and on March 31, 2009, Plaintiffs and Defendants each filed notices withdrawing their pending motions noting that they had reached agreement on the principal terms of a settlement;

WHEREAS, on March 31, 2009, the Court issued an Order continuing the Case Management Conference until June 23, 2009;

WHEREAS, the parties have exchanged drafts of a settlement agreement and continue actively to negotiate the details of the settlement agreement, including a schedule and process for the implementation of key terms of the agreement;

WHEREAS, a continuance of the of two weeks will allow the parties necessary time to review new drafts of the settlement agreement and the plan for its implementation;

1 NOW, THEREFORE, IT IS HEREBY STIPULATED that the Case Management  
2 Conference shall be continued for two weeks, from June 23, 2009, until July 7, 2009, at 2:00 p.m.

3 IT IS FURTHER HEREBY STIPULATED that the parties shall file a Case  
4 Management Statement, in accord with N.D. Civil Local Rule 16-9, not later than Tuesday, June  
5 30, 2009.

6 IT IS SO STIPULATED.

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9 RESPECTFULLY SUBMITTED,  
10 JOSEPH P. RUSSONIELLO  
United States Attorney

11 DATED: June 17, 2009

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VICTORIA R. CARRADERO  
Assistant United States Attorney

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14 DATED: June 17, 2009

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15 DAVID FRY  
16 Attorney for Plaintiff

17 The Court, having considered the stipulation of the parties, orders that the hearing  
18 be continued to July 7, 2009, at 2:00 p.m., and that the parties shall file a case management  
19 statement, in accord with N.D. Civil Local Rule 16-9, not later than Tuesday, June 30, 2009.

20 IT IS SO ORDERED.

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24 DATED: 6/19/09

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25 CLAUDIA WILKEN  
26 United States District Judge